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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities
Thirteenth session

Summary record (partial)* of the 172nd meeting
Held at the Palais Wilson, Geneva, on Wednesday, on 25 March 2015, at 3 p.m.

Chairperson: Ms. Cisternas Reyes
later: Mr. Heenan (Chief, Groups in Focus Section Office of the United Nations High Commissioner for Human Rights)
later: Ms. Cisternas Reyes

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* No summary record was prepared for the rest of themeeting.

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The meeting was called to order at 3.10 p.m.

Opening of the session

1. **The Chairperson** declared open the thirteenth session of the Committee on the Rights of Persons with Disabilities.

Opening statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Heenan** (Chief, Groups in Focus Section, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, since the Committee's previous session, the number of States parties had continued to increase: two more States had ratified or acceded to the Convention and one more State had ratified the Optional Protocol, bringing the total number of parties to the two instruments to 152 and 85, respectively. An increase in the number of parties naturally exacerbated the backlog of reports to be reviewed by the Committee. While he recognized the Committee's increased workload, he nevertheless hoped that it would, with the support of OHCHR and the extra 1.5 weeks of meeting time allocated to it for 2015 by the General Assembly, be able to meet its work targets for the year.

3. The steps taken by the Committee to implement various streamlined working methods endorsed at the most recent annual meeting of chairpersons of the human rights treaty bodies were most welcome. He trusted that the Committee would pursue such efforts in cooperation with other treaty bodies. The implementation of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system involved tracking progress. In that connection, OHCHR was collecting data to ensure that the regular budget resources devoted to the various treaty bodies were sufficient to enable them to address their respective backlogs. The resolution also required the treaty bodies to monitor their progress in implementing the Addis Ababa guidelines on the independence and impartiality of members of the human rights treaty bodies. The Committee might wish to establish an internal mechanism for that purpose to aid it in reporting to States parties on the issue.

4. Turning to developments relating to the post-2015 development agenda, he said that the Secretary-General, in his synthesis report of December 2014 on the subject, had called on Member States to remove the obstacles that still prevented persons with disabilities from participating fully in society. OHCHR had been closely involved in efforts to that end, providing technical assistance to States on disability issues and promoting the inclusion among sustainable development goals of a goal on inclusive quality education. The chairpersons of the treaty bodies, in a joint statement on the post-2015 development agenda adopted in January 2015, had urged Member States also to consider including a goal on the universal implementation of accessibility and the application of reasonable accommodation for the full exercise of the right of persons with disabilities.

5. He wished to highlight two other important multilateral events relevant for the Committee's work. The first was the World Conference on Indigenous Peoples, held in New York in September 2014, the outcome document of which had included a commitment by Member States to ensure that national legislative, policy and institutional structures relating to indigenous peoples contributed to the advancement of the rights of indigenous persons with disabilities. The second was the Third United Nations World Conference on Disaster Risk Reduction, held in Sendai, Japan, in March 2015. The outcome document, the Sendai Framework for Disaster Risk Reduction for the period 2015–2030, had incorporated the rights and perspectives of persons with disabilities.

6. The Human Rights Council had in November 2014 appointed Ms. Catalina Devandas Aguilar as the first Special Rapporteur on the rights of persons with disabilities. Her workplan included promoting the active participation of persons with disabilities in all decision-making processes affecting their lives, tackling the root causes of poverty among such persons and promoting change in perceptions of them. Since her appointment, the Special Rapporteur had been working closely with the Committee and with the Special Envoy of the Secretary-General on Disability and Accessibility.

7. Participants in the annual meeting of the International Coordinating Committee of National Human Rights Institutions, held in March 2015, had reiterated their request to the Committee to develop guidelines on the participation of national human rights institutions and independent monitoring mechanisms in the monitoring framework provided for in the Convention, on the autonomous participation of national human rights institutions in the proceedings of the Committee and on national-level monitoring of the Convention.

8. In the meantime, OHCHR continued to promote the implementation of the Secretary-General's bulletin on employment of and accessibility for staff members with disabilities in the United Nations Secretariat.

Report of the Chairperson on activities undertaken between the twelfth and thirteenth sessions of the Committee

9. The Chairperson said that, in October 2014, the Committee had reported on its work to the Third Committee of the General Assembly. In November 2014, it had participated in training activities to familiarize the employees of United Nations agencies in South America with the provisions of the Convention. In December 2014, the Committee had participated in the Japan Disability Forum in Tokyo. In January 2015, she had represented the Committee at the informal meeting of chairpersons of the human rights treaty bodies in Wilton Park, United Kingdom, at which the issue of a common policy on reprisals had been discussed. The Committee had also been represented at the Third United Nations World Conference on Disaster Risk Reduction in Japan.

10. The Committee had participated in a number of other events, including some focusing on women's issues, and had been represented at the Human Rights Council's annual interactive debate on the rights of persons with disabilities, during which article 19 of the Convention, on living independently and being included in the community, had been discussed. It had provided comments on a draft general comment on the right to sexual and reproductive health for the Committee on Economic, Social and Cultural Rights, and on the revision of the United Nations Standard Minimum Rules for the Treatment of Prisoners. It had also provided informal input to guidelines on informed consent to medical treatment that were being prepared by the Subcommittee on Prevention of Torture.

Solemn declaration by the newly elected members of the Committee

11. **The Chairperson** invited the five new members of the Committee, whose mandates had commenced on 1 January 2015, to make the solemn declaration provided for in rule 14 of the Committee's rules of procedure.

12. **Mr. Basharu**, **Mr. Parra Dussan**, **Mr. Pyaneandee**, **Mr. Ruskus** and **Mr. You** Liang made the following solemn declaration: "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Rights of Persons with Disabilities honourably, faithfully, impartially and conscientiously."

Election of the Chairperson and other officers of the Committee

13. **The Chairperson** said that a member of the secretariat would preside over the election of the Chairperson and other officers.

14. *Mr. Heenan (Chief, Groups in Focus Section, Office of the United Nations High Commissioner for Human Rights) took the Chair.*

15. **The Chairperson** recalled the provisions of rules 15 to 17 of the rules of procedure (CRPD/C/4/2/Rev.1) concerning the conduct of elections and invited nominations for the office of Chairperson.

16. **Ms. Degener** nominated Ms. Cisternas Reyes.

17. **Mr. Babu**, **Ms. Quan-Chang** and **Ms. Peláez Narváez** seconded the nomination.

18. **Mr. Al-Tarawneh** said that he wished to nominate himself for the office of Chairperson.

19. **The Chairperson** invited the candidates to present their reasons for seeking the office.

20. **Ms. Cisternas Reyes** said that, if re-elected, she intended to use her experience to date as Chairperson of the Committee to strengthen cooperation with other stakeholders inside and outside the United Nations system.

21. **Mr. Al-Tarawneh** said that, for the sake of solidarity among Committee members he was withdrawing his candidacy.

22. *Ms. Cisternas Reyes was elected Chairperson by acclamation.*

23. **The Chairperson** invited nominations for the three offices of Vice-Chairperson.

24. **Ms. Kingston** nominated Ms. Degener.

25. **Mr. Tatić** nominated Ms. Kingston.

26. **Mr. Kim** Hyung Shik nominated Ms. Quan-Chang.

27. **Ms. Degener** nominated Mr. Babu.

28. **Mr. Pyaneandee** and **Mr. Basharu** seconded the nominations of Ms. Kingston, Mr. Babu and Ms. Degener.

29. **Ms. Kingston** seconded the nomination of Ms. Quan-Chang.

30. **The Chairperson** invited the Committee to elect the three Vice-Chairpersons by secret ballot.

31. *At the invitation of the Chairperson, Mr. Kim Hyung Shik and Ms. Pavey acted as tellers.*

32. *A vote was taken by secret ballot.*

Number of ballot papers: 17

Number of valid ballots: 17

Number of members voting: 17

Required majority: 9

Number of votes obtained:

Ms. Kingston	15
Ms. Quan-Chang	12
Ms. Degener	10
Mr. Babu	9

33. *Having obtained the required majority and the largest number of votes, Ms. Degener, Ms. Kingston and Ms. Quan-Chang were elected Vice-Chairpersons of the Committee.*

34. **The Chairperson** asked whether any members would object if Mr. Babu retained the office of Rapporteur.

35. *Mr. Babu was elected Rapporteur by acclamation.*

36. *Ms. Cisternas Reyes took the Chair.*

Adoption of the agenda (CRPD/C/13/1)

Organizational matters

37. **The Chairperson** drew attention to the provisional agenda and the tentative programme of work, which were contained in document CRPD/C/13/1 and the annex thereto.

38. *The agenda and the programme of work were adopted.*

Submission of reports by States parties under article 35 of the Convention

39. **Mr. Araya** (Secretary of the Committee) said that, since the Committee's twelfth session, initial reports had been received from Algeria, Cuba, Malta, Nicaragua, the Philippines, Poland, the former Yugoslav Republic of Macedonia, the Russian Federation, Senegal and South Africa. In total, 78 initial reports had been received, 59 of which had yet to be considered.

Cooperation with other United Nations bodies, specialized agencies, organizations of persons with disabilities and other competent bodies

40. **Ms. Whyte Gómez** (Chair, Standing Committee on Victim Assistance and Socio-Economic Reintegration under the Anti-Personnel Mine Ban Convention) said the States parties to the Anti-Personnel Mine Ban Convention believed that landmine victim assistance was not a world unto itself but should be integrated into broader national policies, plans and legal frameworks related to the rights of persons with disabilities, health, education, employment, development and poverty reduction. That message had been affirmed at the global conference Bridges between Worlds, organized by the Government of Colombia and the Convention's Implementation Support Unit. The conference had also highlighted the need for partnerships between those who cared deeply about fulfilling the promise of the Anti-Personnel Mine Ban Convention to landmine victims and survivors and those concerned with the well-being and rights of all persons living with disabilities.

41. The Committee's concluding observations on the reports submitted to it by States parties provided a useful road map that could lead to tangible results consistent with the aims of the Convention on the Rights of Persons with Disabilities and the political commitments made by States under the Anti-Personnel Mine Ban Convention. The Committee's observations on the inclusion of persons with disabilities in plans for protection and assistance in situations of risk and humanitarian emergencies were particularly pertinent to some States parties to the Anti-Personnel Mine Ban Convention, and her Committee would welcome the opportunity to contribute to advances in that area. Inclusion was another common concern. In that connection, she hoped that cooperation could be established with the Committee on the Rights of Persons with Disabilities to assist States in ensuring the active participation of all persons with disabilities at all stages of public decision-making processes.

42. **Mr. Chávez Penillas** (Human Rights and Disability Adviser, Office of the United Nations High Commissioner for Human Rights) said that, since the Committee's previous session, OHCHR had helped to organize the Human Rights Council's annual interactive debate on the rights of persons with disabilities, held on 10 March 2015. He wished to encourage the Committee to consider the OHCHR thematic study prepared for the debate in the context of the discussions of the working group on article 19 of the Convention.

43. The topic for the 2016 interactive debate would be the rights of persons with disabilities in situations of risk and humanitarian emergencies, as set out in article 11 of the Convention. The Committee was urged to contribute to the forthcoming OHCHR thematic study on that issue and to address the topic in its concluding observations. The Human Rights Council had decided to continue to hold the interactive debate on the rights of persons with disabilities every year and to consider a resolution every two years.

44. OHCHR had promoted the creation of a working group on article 11 of the Convention within the framework of the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities. The working group was responsible for preparing an advocacy strategy for the inclusion of disability in disaster risk reduction and planning for emergencies and humanitarian crises. In that connection, the Committee was encouraged to take part in the regional and global consultations for the 2016 World Humanitarian Summit.

45. OHCHR was currently organizing an expert meeting on the right of persons with disabilities to liberty and security of person. He wished to request the Committee to take part in that event, which was to be held on 8 and 9 September 2015.

46. Lastly, as part of its day of general discussion on the right of persons with disabilities to inclusive education, the Committee should consider the OHCHR thematic study on that topic, Human Rights Council resolution 25/20 and the outcome document of the Open Working Group on Sustainable Development Goals, particularly its proposal for goal 4.

47. **Ms. Moodie** (United Nations Children's Fund (UNICEF)) said that UNICEF was setting up a new global initiative to ensure that all printed textbooks were produced in accessible formats and to transform the way they were developed, distributed and used. Work had been carried out to review and adapt UNICEF School-in-a-box kits to promote inclusion and accessibility. A package of key resource materials and a series of practical notes on making programmes and interventions accessible to and inclusive of children with disabilities in humanitarian crisis situations were being finalized in cooperation with Handicap International.

48. Data-collection tools were being strengthened and work was being carried out jointly with the Washington Group on Disability Statistics on a number of projects, including a manual for the production of statistics on children with disabilities and a new survey module on the school environment and participation. In addition, UNICEF country offices had been provided with guidance on conducting disability situation analyses and a number of country offices had already undertaken such work.

49. A survey had been conducted in cooperation with the Global Alliance on Accessible Technologies and Environments on assistive devices and technologies employed to help children with disabilities overcome barriers. The results would be used to inform the development of an assistive device and technology supply database.

50. Internally, UNICEF was working to become an inclusive organization for all, including through the issuance of executive directives on accessibility and the launching of initiatives on accessible information technology.

51. At the regional level, the UNICEF Central and Eastern Europe, Commonwealth of Independent States Regional Office was leading the development of 14 webinars and companion booklets on the theme "A rights-based approach to inclusive education for children with disabilities". The Eastern and Southern Africa Regional Office was working on a study designed to provide an overview of inclusive education in 21 countries in the region and an in-depth study on Comoros, Madagascar and Rwanda. In 2014, the West and Central Africa Regional Office had supported a regional study on the same topic.

52. The Americas and Caribbean Regional Office was participating in the development of a subregional project on the participation and protection of persons with disabilities during emergencies and disasters in Central America. The UNICEF office in Jordan was working with the Jordanian Ministry of Education to provide services and develop policies for schools in both host communities and Syrian refugee camps. In partnership with Mercy Corps International, specific assistance, including inclusive education and psychosocial services, had been provided to refugee children with disabilities. UNICEF country offices were increasingly engaged in reporting to the Committee.

53. **Ms. Lung** (World Intellectual Property Organization (WIPO)) said that the Standing Committee on Copyright and Related Rights had agreed to continue work on an international legal instrument on limitations and exceptions to copyright for persons with disabilities other than those covered by the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled and looked forward to receiving a recommendation from the Committee in that regard in October 2015. WIPO had made every effort to encourage its member States to ratify the Marrakesh Treaty, with a view to achieving the instrument's prompt entry into force and, ultimately, an increase in the number of accessible format works for persons with print disabilities. It was hoped that 20 countries would have ratified the Treaty by the end of 2015.

54. **Mr. Ford** (World Intellectual Property Organization) said that WIPO had recently launched the Accessible Books Consortium, which was intended to complement the Marrakesh Treaty and to increase the availability of works published in accessible formats. The Consortium was a multi-stakeholder partnership, comprising WIPO, organizations that served persons with print disabilities, libraries for those persons and organizations representing publishers and authors. The Consortium focused on three areas: capacity-building for the production and distribution of books in accessible formats; inclusive publishing, which entailed the promotion of accessible book production techniques; and creation of an international book exchange database, known as the Trusted Intermediary Global Accessible Resource (TIGAR).

The discussion covered in the summary record ended at 4.55 p.m.